

Appl. No. 10/008,394
Amdt. Dated December 1, 2004
Reply to Office Action of July 1, 2004

REMARKS

Applicants thank the Examiner for the thorough examination of the above-mentioned application, and in particular, Applicants appreciate the recognition of allowable subject matter.

In paragraph [0001] the Examiner objected to the application because reference character 160 was used to designate both the up push button in Figure 2 and one of the pulleys. Applicants have amended Figure 2 to change the push button to reference number 161 and have revised the specification accordingly.

The Examiner also objected to the drawings in that reference character 188 was used to designate both apertures and the latch assembly. Applicants have changed the latch assemblies to reference numeral 189 in both the figures and in the specification and 188 is used to describe the apertures in both the drawings and specification.

The Examiner also objected to the drawings because the specification referred to reference numerals which were not shown in the drawings. The first reference numeral is reference numeral 164, in paragraph [0037]. Numeral 164 was amended in the specification to refer to push button 161. Figure 6 was also modified to show both the pin 62 and pin end 64. Applicants have also amended paragraph [0046] to delete the reference to numeral 88, which identifies the intermediate portion of tubular member 82.

Figures 8 and 9 were amended as suggested by the Examiner with the exception that the upper reference numeral 190 was changed to 192, as that designates the collar.

Paragraph [0009] was amended to change "write" to "right." Applicants have also amended paragraph [0037] to change 132 to 12 and 134 to 14. Finally,

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AMENDMENTS TO THE DRAWINGS

The attached Replacement Sheets include changes to Figures 1, 2, 6, 8, and 9.

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Applicants have changed reference numeral 140 to 40 in paragraph [0058] and reference numeral 188 to 184 in paragraph [0060].

The Examiner also objected to claims 16, 18, 21-23, and 25 in paragraph 5 of the Office Action and rejected claims 5 and 6 under 35 USC § 112 in paragraph 6 of the Office Action. Applicants have amended the claims accordingly and believe to have overcome the objections.

The Examiner rejected claims 1 through 4 under 35 USC § 102(b) as being anticipated by Ammoscato *et al.*, U.S. Patent 5,472,397. Ammoscato *et al.* shows, in Figures 1-3, a pair of dumbbell supports 38, and which are independently movable vertically by way of a telescoping member 46 (Figure 4).

Applicants have amended claim 1 to indicate that the weightlifting apparatus has first and second side frames, an elevation adjustment mechanism carried on the first and second side frames, a cross-support mechanism having collars at opposite ends of the cross-support mechanism, where the collars are coupled to the elevation adjustment mechanism, and where at least one dumbbell support is coupled to the cross-support mechanism for supporting a dumbbell in a plurality of different elevations and lateral positions. Ammoscato *et al.* does not show such a device, and Applicants believe that claims 1 through 4 are patentable in light of the recent amendments.

The Examiner also rejected claims 1, 7, 8, and 12 under 35 USC § 102(b) as being anticipated by Hayden, U.S. Patent 5,924,964. Hayden '964 shows telescopic tubes 17, 18 in two members 31, 32 and dumbbell supports 11 and 12 fixed to extension bar 21. Therefore, Hayden '964 does not anticipate claim 1 requiring both vertically and laterally adjustable positions.

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Respectfully submitted,



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Date



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